

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1506 OF 2007

Madhukar Kondaji Pagar & ors.... Petitioner

versus

Mhalu Deoram Pagar Respondent.

Shri Dilip Bodke for the petitioner
Shri V.Z.Kankaria i/b. Rahul D, Motkari for
respondent.

CORAM; A.P. DESHPANDE, J.
DATED; 13TH SEPTEMBER, 2007

P.C. ;

1. The respondent filed a suit for injunction against the petitioners/defendants in regard to the suit property. The trial court rejected the tempoary injunction application whereas allowing the Misc. Civil Appeal, the First Appellate Court has granted injunction.

2. Perused the order passed by the First Appellate Court. The First Appellate Court being of the view that the plaintiff has made out a prima facie case and after finding that refusing temporary injunction would cause inconvenience to the plaintiff, has passed an order of temporary injunction.

3. Perused the order. The same does not call for any interference with the impugned order. However, having regard to the nature of controversy involved in the suit between the near relations and having regard to the fact that the suit is pending since 2005, I deem it appropriate to direct the trial court to decide the suit as expeditiously as possible hopefully within six months from today. Writ petition is thus summarily dismissed.

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